

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

LUCAS PALACIOS ALVARADO

PETITIONER

VS.

CIVIL ACTION NO. 5:23-cv-78-DCB-ASH

SHAWN GILLIS

RESPONDENT

ORDER

This matter is before the Court on Magistrate Judge F. Keith Ball's Report and Recommendation [ECF No. 22]. No party filed objections to the Report and Recommendation, and the deadline for filing such objections has passed. Having reviewed the Report and Recommendation, the parties' submissions, and applicable law, the Court finds the Report and Recommendation to be well-reasoned. As Magistrate Judge Ball explained, information provided to the Court indicates that Petitioner was deported to Honduras. [EF No. 22] at 1. The report recommends that the matter should be dismissed as moot, and this Court agrees.

Where no party objects to the magistrate judge's report and recommendation and the report contains a warning about the consequences of failing to object(as this report does), the

Court is not required to perform a *de novo* review of the magistrate judge's determination. In such cases, the standard of review is whether the report and recommendation is clearly erroneous or contrary to law. Quinn v. Guerrero, 863 F.3d 353, 358 (5th Cir. 2017) (" ... a party is not entitled *de novo* review after failing to file written objections to the magistrate judge's R&R within a certain period of time.")

Finding no clear error in the Report and Recommendation and not finding it contrary to law,

IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation [ECF No. 22] is **ADOPTED** as the findings and conclusions of this Court; and

IT IS FURTHER ORDERED that the Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. 2241 [ECF No. 1] is **DISMISSED** as moot with prejudice.

A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

SO ORDERED this the 3rd day of May 2024.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE